

Remarks/Arguments

Claims 17-31 are currently pending in the application. Claims 17, 18, 21-23, 26-28 and 31 have herein been amended and are fully supported by the specification. Applicant has amended the claims to clarify the claim language. No new matter has been added to the prosecution of this application. For at least the reasons stated below, Applicant asserts that all claims are now in condition for allowance.

1. Claim Rejections Under 35 U.S.C. § 112

Claims 17-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicant has amended claims 17, 22 and 27 to clarify the claimed subject matter, as suggested by the Examiner. Accordingly, Applicant asserts that the 35 U.S.C. 112 rejection is moot, and requests withdrawal of the rejection.

2. Claim Rejections Under 35 U.S.C. § 103

Claims 17-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Feidelson et al.*, U.S. Patent No. 6,345,261 in view of *Kirkevold et al.*, U.S. Patent No. 6,263,332. Applicant opposes this rejection because not all limitations of the claims, as amended, are disclosed or suggested by the cited references.

As stated in the outstanding Office Action, *Feidelson* fails to disclose or suggest all limitations of Applicant's claims. *Feidelson* discloses a customer loyalty investment program. Specifically, *Feidelson* discloses a system that permits merchants to provide rebates to customers. See Abstract and col. 2, line 5 – col. 4, line 23. However, *Feidelson* fails to disclose or suggest a framework manager providing maintenance and service to a system (network-based supply-chain framework) as claimed by Applicant. There is no mention of conducting maintenance and service on the system itself via communication with service providers, vendors, resellers, manufacturers and the like in *Feidelson*, as claimed by Applicant. Accordingly, it follows that *Feidelson* fails to disclose maintenance and service requests, and scheduling such activity on the system (framework).

Furthermore, the modification of *Feidelson* with the teachings of *Kirkevold* fails to disclose or suggest all of the limitations of Applicant's claims. *Kirkevold* discloses an automotive repair shop computer system. The automotive maintenance shop permits the access and use of automobile information and the various system terminals throughout the

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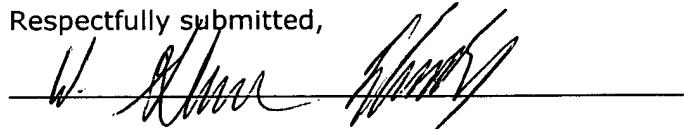
automotive repair facility. However, there is no disclosure or suggestion of conducting maintenance and service on the system (network or supply-chain framework). The only disclosure of maintenance and service (diagnostics) in *Kirkevold*, as cited in the outstanding Office Action, is on the automobiles; not on the system/network. Accordingly, Applicant asserts that the combination of *Kirkevold* with the teachings of *Feidelson* fails to remedy the deficiencies of *Feidelson*.

In summary, *Feidelson* and *Kirkevold*, each alone or in combination, fail to disclose or suggest all of the limitations of Applicant's pending claims. None of the cited references disclose or suggest providing a framework manager to provide maintenance and service for a network-based supply-chain framework between a first framework user and a second framework user, wherein the framework manager monitors activity on the network and enables service providers, vendors, resellers, manufacturers to communicate on the framework to service and maintain the framework. Thus, the rejection of claims 17-31 with the combination of *Feidelson* and *Kirkevold* is improper. Applicant requests reconsideration and withdrawal of the rejection.

2. Conclusion

Applicant submits that for at least the reasons stated above, all pending claims are allowable over the art of record and respectfully requests reconsideration and that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (612) 607-7278. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Docket 60021-336701).

Respectfully submitted,



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